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13 **UNITED STATES BANKRUPTCY COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

15 **In re:**

16 **PG&E CORPORATION**

17 **-and-**

18 **PACIFIC GAS AND ELECTRIC**
COMPANY,
19 **Debtors.**

20 Affects PG&E Corporation
21 Affects Pacific Gas and Electric
22 Company
23 Affects both Debtors

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11 (Lead Case)
(Jointly Administered)

24 **JOINDER OF OFFICIAL COMMITTEE OF**
TORT CLAIMANTS TO GHOST SHIP
PLAINTIFFS' MOTION FOR RELIEF
FROM STAY [Dkt. No. 4875]

Date: December 17, 2019
Time: 10:00 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

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**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

1 The Official Committee of Tort Claimants (“**TCC**”) in the chapter 11 cases of PG&E
2 Corporation and Pacific Gas and Electric Company, as debtors and debtors in possession
3 (collectively, “**PG&E**” or the “**Debtors**”) respectfully files this joinder (“**Joinder**”) to the motion
4 (“**Motion**”) of the Ghost Ship plaintiffs (“**Ghost Ship Plaintiffs**”) for relief from the automatic
5 stay [Dkt. No. 4875].

6 The December 2, 2016 Ghost Ship Fire killed 36 individuals and injured dozens more. A
7 total of 70 survivors and family members who lost their loved ones filed 53 lawsuits against a group
8 of defendants and PG&E alleging the defendants were responsible for their damages. Declaration
9 of Mary Alexander [Dkt. No. 4877], filed in support of the Motion, at ¶¶ 4-9. PG&E's insurance
10 for 2016 fully insures the Ghost Ship claims and hence does not compete with the 2015, 2017 and
11 2018 wildfire claims that caused PG&E to file this chapter 11 case. *Id.* at ¶¶ 23, 30.

12 In both of the proposed plans of reorganizations, the Ghost Ship Plaintiffs' claims would
13 ride through the bankruptcy subject to the Debtors' insurance. *See* Debtors' Joint Chapter 11 Plan
14 of Reorganization Dated Nov. 4, 2019 at Section 4.21 [Dkt. No. 4563]; Joint Chapter 11 Plan of
15 Reorganization of Official Committee of Tort Claimants and Ad Hoc Committee of Unsecured
16 Noteholders at Section 10.09(f) [Dkt. No. 4257]. It is in the best interests of the Ghost Ship
17 Plaintiffs for their resolution of their claims by that insurance to be advanced, rather than delayed
18 to after plan confirmation.

19 The Ghost Ship Plaintiffs have stated that they believe that their claims are within the limits
20 of the Debtors' insurance. Alexander Declaration at ¶ 23. According to Ms. Alexander, "Granting
21 relief from stay will allow the Ghost Ship Litigation to proceed against the Debtors, in order to
22 establish liability of the Debtors, obtain judgment(s) against the Debtors, and collect any
23 judgment(s) obtained against the Debtors to the extent of available insurance." *Id.* at ¶ 31. Hence,
24 relief from stay is in the best interests of the estate and wildfire victims who seek to maximize their
25 recoveries from the non-Ghost Ship insurance assets.

26 The Ghost Ship Plaintiffs have filed their Motion to enable them to recover from the
27 Debtors' insurance policies without delay. Insurance coverage for both Valero Refining Company

1 California (“**Valero**”) and the Ghost Ship Plaintiffs exists under 2016 policies that do not cover the
2 2015, 2017 and 2018 wildfire claims. The Court has granted relief from stay for Valero to proceed
3 against the same 2016 insurance [Dkt. No. 3819] and therefore the Ghost Ship Plaintiffs’ claims
4 against the 2016 insurance should have equal access and relief from stay. The Ghost Ship Plaintiffs
5 are suffering and there is no valid reason for delaying the liquidation of their claims against the
6 insurance.

7 **CONCLUSION**

8 Wherefore, for all of the reasons argued herein and in the Motion, the TCC respectfully
9 requests that this Court grant the Motion.

10
11 Dated: December 2, 2019

Respectfully submitted,

12 BAKER & HOSTETLER LLP

13 By: /s/Robert A. Julian
14 Robert A. Julian

15 *Counsel to the Official Committee of Tort Claimants*